### SPE RESPONSE FOR CERTIFICATE OF CORRECTION

	·	Paper N	<b>o</b> .:
DATE	: 6/1/09		
TO SPE	OF : ART UNIT 1639	6,664,446	
SUBJEC	T : Request for Certificate of Correct		
A respons	e is requested with respect to the accom	panying request for a certificate of correction.	
Certificat	omplete this form and return with file, tes of Correction Branch - ST (Sout ation <b>7590</b> - Tel. No. (703) 305-8309		
read as sh		Office and/or Applicant's errors, should the patent ew matter should be introduced, nor should the scope or	
		Eva James  Certificates of Correction Branch	
Thank Yo	ou For Your Assistance	Certificates of Correction Branch	
-	est for issuing the above-identified ision on the appropriated box.	correction(s) is hereby:	
$\boxtimes$	Approved	All changes apply.	
	Approved in Part	Specify below which changes <b>do not</b> apply.	
	Denied	State the reasons for denial below.	
Commen	its: Correction of inve-	itorship approved	
		LeMai J ANNE MARIE GRUNBERG	
		SUPERVISORY PATENT EXAMINER	

09/533,029

Request to correct inventorship approved

Please forward to Eva James at COC Branch

PALM Code 7580

her phone number is 703 756-1583

DAVID H. KRUSE, PH.D. PRIMARY EXAMINER

The only use I've found for my stamp.

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	. )
Examiner: KRUSE, David H.	.)
Docket No. MBI-0010	)
Customer No. 23678	)

**Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

Attention: Certificate of Correction Branch.

### REQUEST FOR CORRECTION OF INVENTORSHIP PURSUANT TO 35 U.S.C. 256 and 37 C.F.R. § 1.324(a)

Dear Sir:

The presently named assignees, Mendel Biotechnology, Inc. hereby petition the Commissioner to delete Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang from the inventors of the above-identified patent, and correct the name of "Lynne Reuber" to "T. Lynne Reuber". Enclosed are the following:

- 1. A statement from the current named inventors agreeing to the change of inventorship;
- 2. A statement from the sole assignee agreeing to the change of inventorship in the patent;
  - 3. The fee set forth in 37 C.F.R. § 1.20(b) of \$130.00 is being submitted electronically with this request.

Patentees of the referenced patent request that the inventorship in the above-identified application be amended by deleting "Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha Pilgrim" and "Cai-Zhong Jiang" from the above-identified application and correct the name of "Lynne Reuber" to "T. Lynne Reuber".

"Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha" Pilgrim" and "Cai-Zhong Jiang" were named in the issued patent as inventors through error and this error Patent No. 6,664,446 Docket No.: MBI-0010

arose without any deceptive intent. The name of "Lynn Reuber" was entered through error, and should be "T. Lynn Reuber"; this error occured without deceptive intent. Thus, Patentees respectfully request to correct these errors by deleting "Pierre Broun", "James Keddie", "Raymond Samaha", "James Zhang", "Guo-Liang Yu", "Marsha Pilgrim" and "Cai-Zhong Jiang", and change the name of "Lynn Reuber" to "T. Lynn Reuber" so that the inventive entity of "T. Lynne Reuber", "Oliver Ratcliffe", "Jacqueline Heard", "Jose Luis Riechmann", "Omaira Pineda" and "Luc Adam" will remain as the correct inventive entity of the present patent. This request is supported by a statement of the current named inventors as required by 37 C.F.R. § 1.324(b)(2), and a statement from the sole assignee: Mendel Biotechnology Inc., as required by 37 C.F.R. § 1.324(b)(3), agreeing to the change of inventorship.

The Patent and Trademark Office is respectfully requested to correct the inventorship and to enter the enclosed statements of T. Lynne Reuber, Oliver Ratcliffe, Jacqueline Heard, Jose Luis Riechmann, Omaira Pineda Luc Adam, Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

Applicants believe that the current amendment has complied with requirements under 37 CFR § 1.324(a) and respectfully request correction of the inventorship in the present patent.

Respectfully submitted,
MENDEL BIOTECHNOLOGY, INC.

Date: May 29, 2009

Yifan Mao

Patent Agent

Reg. No. 60,804

3935 Point Eden Way

Hayward, California 94545

Phone: (510) 259-6149

Fax: (510) 264-0254

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	)

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Alexandria, VA 22313-1450

### STATEMENT BY ASSIGNEE FOR CHANGE OF INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(3)

Dear Sir:

Mendel Biotechnology, Inc., a company duly organized under and pursuant to the laws of California and having its principal place of business 3935 Point Eden Way, Hayward, California 94545, is the assignee of the entire right, title and interest in the patent application identified above, as indicated on the Assignment dated 03/22/2000, Reel/Frame No. 010796 / 0531.

Mendel Biotechnology, Inc. hereby consents to correct the inventorship of the aboveidentified patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

MAY 29,2009

Date

Oliver J. Ratcliffe

Vice President, Research Mendel Biotechnology, Inc.

Mendel Biotechnology, Inc. 3935 Point Eden Way

Hayward, California 94545-3720

Phone: 510.264.6146 Fax: 510.264.0254

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	j

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### STATEMENT BY GUO-LIANG YU IN SUPPORT OF PETITION TO CORRECT **INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)**

Dear Sir:

- I, Guo-Liang Yu, declare as follows
- 1) I reside at 242 Gravatt Drive, Berkeley, California 94705, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: Apr. 17, 200 Name:

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	)

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

## STATEMENT BY JACQUELINE HEARD IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Jacqueline Heard, declare as follows:
  - 1) I reside at 542 Sunnyside Avenue, Webster Groves, MO. 63119;
  - 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: April 6, 2009 Name: Jacqueline Heard

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	· )
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	)
Mail Stop Petitions	-
Commissioner for Patents	
P.O. Box 1450	

### STATEMENT BY CAI-ZHONG JIANG IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

I, Cai-Zhong Jiang, declare as follows

Alexandria, VA 22313-1450

- 1) I reside at 2340 Caravaggio Drive, Davis, California 95618, USA;
- 2) I was named as an inventor of the above-referenced US patent; . .
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

		Clary of or
Date: 4/28/09	Name:	
	•	Cai-Zhong Jiang

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	. )
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	)

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT BY T. LYNNE REUBER IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

### I, T. Lynne Reuber, declare as follows:

- 1) I reside at 1115 South Grant Street, San Mateo, California 94402;
- 2) I am an inventor of the above-referenced US patent;
- 3) My name was entered as "Lynne Reuber" through error in the above-referenced patent, and should be "T. Lynne Reuber". This error arose without deceptive intent;
- 4) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5/29/09

Name

T. Lynne Reuber

J. J.

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	• )
Art Unit: 1638	. )
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	. )

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT BY LUC ADAM IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Luc Adam, declare as follows:
  - 1) I reside at 2315 Depot Road, Hayward, California 94545;
  - 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 03/20/09 Name: \_\_\_\_\_\_

Luc Adam

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010 .	)
Customer No. 23678	)

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT BY JAMES ZHANG IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, James Zhang, declare as follows
- 1) I reside at 951 Amarillo Ave., Palo Alto, California 94303, USA;
- 2) I was named as an inventor of the above-referenced US patent;

Name:

3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 41/2009

James Zhang

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	. )
Docket No. MBI-0010	)
Customer No. 23678	)

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT BY OLIVER RATCLIFFE IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Oliver Ratcliffe, declare as follows:
  - 1) I reside at 814 East 21st Street, Oakland, California 94606;
  - 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: March 1, '09 Name:

Oliver Ratcliffe

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	j
Docket No. MBI-0010	)
Customer No. 23678	. <u> </u>

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT BY JOSE LUIS RIECHMANN IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Jose Luis Riechmann, declare as follows:
  - 1) I reside at Sant Marti de L'erm 37, 40, 1a, Sant Joan Despi, Barcelona, Spain 08970;
  - 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present patent.

Date: March 23, 1009 Nam

Jose Luis Ricomani

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	j
Customer No. 23678	í

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT BY JAMES KEDDIE IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, James Keddie, declare as follows
- 1) I reside at 20 14th Ave., San Mateo, CA 94402, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 4/07

James Keddie

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	,
Docket No. MBI-0010	,
Customer No. 23678	Ś

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

# STATEMENT BY OMAIRA PINEDA IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Omaira Pineda, declare as follows:
  - 1) I reside at The Laurels, 4060 9th Place, Vero Beach, Florida 32960;
  - 2) I am an inventor of the above-referenced US patent;
- 3) I agree to the change of the inventorship of the above-referenced U.S. patent, deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

n. 3/29/09

Omaira Pineda

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	. )
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	j
Customer No. 23678	í

Mail Stop Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## STATEMENT BY MARSHA PILGRIM IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Marsha Pilgrim, declare as follows
- 1) I reside at 1368 Patrick Henry Drive, Phoenixville, Pennsylvania 19460, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5809 Name: Marsha Pilgrim

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	)
Art Unit: 1638	)
Examiner: KRUSE, David H.	)
Docket No. MBI-0010	)
Customer No. 23678	)

Mail Stop-Petitions-- - --

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

### STATEMENT BY PIERRE BROUN IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Pierre Broun, declare as follows
- 1) I reside at 28 rue des amandiers 37540 Saint-Cyr sur Loire, France;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5-13- 2009

Pierre Broun

Patent No.: 6,664,446	)
In re patent of: HEARD, Jacqueline et al.	)
Issued: 12-16-2003	· )
Art Unit: 1638	)
Examiner: KRUSE, David H.	Ś
Docket No. MBI-0010	<u> </u>
Customer No. 23678	í

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# STATEMENT BY RAYMOND SAMAHA IN SUPPORT OF PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.324(b)(2)

Dear Sir:

- I, Raymond Samaha, declare as follows
- 1) I reside at Los Robles Rd., Soquel, California 95073, USA;
- 2) I was named as an inventor of the above-referenced US patent;
- 3) I agree to the requested change of the inventorship of the above-referenced US patent by deleting Pierre Broun, James Keddie, Raymond Samaha, James Zhang, Guo-Liang Yu, Marsha Pilgrim and Cai-Zhong Jiang.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present patent.

Date: 5/19/09 Name: Salessehre

Raymond Samaha